JS-6

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

XIAOTONG LIU, *et al.*,

      Plaintiffs,

      v.

KATHY A. BARAN, Director of
the California Service Center,
United States Citizenship and
Immigration Services, *et al.*,

      Defendants.

Case No. SACV 18-00376 JVS (KESx)

JUDGMENT

This matter is before the Court on the parties' Cross Motions for Summary

Judgment. After having considered the parties' briefing and arguments,

IT IS HEREBY ORDERED AND ADJUDGED:

(1)   That Defendants' Motion for Summary Judgment is GRANTED in

full;

(2)   That Plaintiff's Motion for Summary Judgment is DENIED in full;

(3)   That United States Citizenship and Immigration Services ("USCIS")

correctly determined that Plaintiffs failed to establish that the Event Manager

position complies with the first criterion for an H-1B "specialty occupation" under 8 C.F.R. § 214.2(h)(4)(iii)(A)(1), because the proffered position does not require a bachelor's degree in a specific specialty as a normal, minimum requirement for entry into the occupation;

(4)   That USCIS correctly determined that Plaintiffs failed to establish that the Event Manager position complies with the second criterion for an H-1B "specialty occupation" under 8 C.F.R. § 214.2(h)(4)(iii)(A)(2), because a specific bachelor's degree is not commonly required in parallel positions among similar employers, and the proffered positon is not so complex or unique that it can only be performed by an applicant with a specific degree;
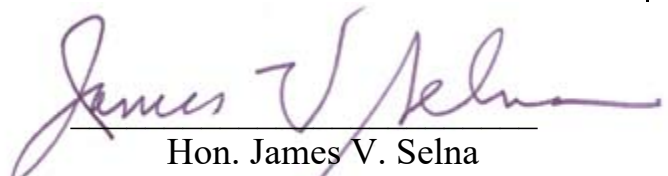
(4)   That USCIS correctly determined that Plaintiffs failed to meet their evidentiary burden to demonstrate eligibility for approval of their H-1B petition;

(5)   That USCIS's decision denying Plaintiffs' H-1B petition is supported by substantial evidence in the administrative record;

(6)   That USCIS's decision on January 26, 2018, to deny Plaintiffs' H-1B petition, is AFFIRMED in full.

        IT IS SO ORDERED.

DATED: January 04, 2019   _____
                                               Hon. James V. Selna
                                               United States District Judge